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C O N F I D E N T I A L STATE 174797

E.O. 11652: GDS

TAGS: OAS

SUBJECT: OASGA WRAP-UP

SUMMARY: THE VIII GENERAL ASSEMBLY WAS NOTABLE CHIEFLY FOR A CONSOLIDATION OF SUPPORT FOR HUMAN RIGHTS WITHIN THE ORGANIZATION. THE ASSEMBLY PASSED STRONG RESOLUTIONS ON HUMAN RIGHTS, SOME CONDEMNATORY OF SPECIFIC MEMBER COUNTRIES, BY SUBSTANTIAL MAJORITIES. A NUMBER OF STATES ANNOUNCED RATIFICATION OF THE AMERICAN CONVENTION ON HUMAN RIGHTS (PACT OF SAN JOSE), INCREASING PROSPECTS THAT AGREEMENT WILL COME INTO EFFECT SOON. THE ASSEMBLY AUTHORIZED THE PERMANENT COUNCIL TO DECIDE THE INTERIM LEGAL STATUS OF THE INTER-AMERICAN HUMAN RIGHTS COMMISSION (IAHRC) ONCE THE PACT OF SAN JOSE COMES INTO EFFECT. ON ECONOMIC ISSUES, LATIN AMERICAN SOLIDARITY LED TO U. S. AND LATIN/CARIBBEAN DISAGREEMENT ON SEVERAL MATTERS BUT WITHOUT CONFRONTATIONAL OVERTONES. SEVERAL FOREIGN MINISTERS STRESSED THE SERIOUS LATIN PREOCCUPATION
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OVER THE PROTECTIONIST THREAT THEY PERCEIVE. OVERALL, HOWEVER, ECONOMICS TOOK A DECIDED BACK SEAT TO HUMAN

RIGHTS. A MAJOR MEXICAN-U. S. INITIATIVE TO REVIVE OAS RE-STRUCTURING BY FORMING A SMALL, HIGH-LEVEL NEGOTIATING COMMITTEE TO TAKE A NEW LOOK AT THE PURPOSES OF THE SYSTEM WAS BLOCKED BY THE SMALL MEMBER STATES WHO SUCCEEDED IN REFERRING THE MATTER BACK TO THE PERMANENT COUNCIL. THE U.S. DID SUCCEED IN OBTAINING A RESOLUTION PLACING THE QUESTION OF QUOTAS ON THE

AGENDA OF THE VI SPECIAL GENERAL ASSEMBLY IN DECEMBER. IN SUM, OUTSIDE THE AREA OF HUMAN RIGHTS, THIS GENERAL ASSEMBLY PRODUCED LITTLE MOTION ON MAJOR ISSUES FACING THE OAS.

1. WITH THE VIII GA 10 DAYS INTO HISTORY, THESE ARE OUR PRELIMINARY ESTIMATES OF WHAT IT MEANT.

2. HUMAN RIGHTS. THE VIII GA SAW THE CONSOLIDATION OF THE HUMAN RIGHTS MAJORITY WHICH FORMED AT GRENADA. RESOLUTIONS CONDEMNING HUMAN RIGHTS VIOLATIONS IN PARAGUAY AND URUGUAY PASSED BY VOTES OF 16 TO 1 AGAINST, 8 ABSECTIONS. STRONGLY WORDED GENERAL RESOLUTIONS ON HUMAN RIGHTS WERE PASSED WITH 22 VOTES FOR, NONE AGAINST, 3 ABSECTIONS (BRAZIL, ARGENTINA AND URUGUAY).

3. THE AMERICAN CONVENTION ON HUMAN RIGHTS (PACT OF SAN JOSE) IS ON THE VERGE OF ENTRY INTO FORCE. PANAMA AND EL SALVADOR DEPOSITED RATIFICATIONS DURING THE GA AND PERU ANNOUNCED THAT IT WOULD RATIFY SHORTLY. THE ENTRY INTO EFFECT OF THE PACT MAY PLACE THE IAHRC IN AN AMBIGUOUS LEGAL SITUATION UNLESS
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ACTION IS TAKEN TO CLARIFY IT. A COSTA RICAN RESOLUTION WHICH WOULD HAVE CONTINUED THE PRESENT COMMISSION IN OFFICE UNTIL THE IX REGULAR GA IN LATE 1979 WAS REFERRED TO THE PERMANENT COUNCIL. THE COUNCIL WILL BEGIN ON THIS ITEM IMMEDIATELY.

4. IN SPITE OF ITS CLOUDED LEGAL FUTURE, THE IAHRC EMERGED STRENGTHENED FROM THE GA. ONLY A SUBORDINATE OFFICIAL OF THE PARAGUAYAN DELEGATION AND THE NOW RESIGNED FOREIGN MINISTER ROVIRA OF URUGUAY VENTURED TO MAKE FULL SCALE ATTACKS ON THE COMMISSION FOR ITS REPORTS; THE RESULTING STORM CAUSED BY THE PARAGUAYAN ATTACK WAS CALMED BY GOP FOREIGN MINISTER NOGUES. THE IAHRC'S ACTIVITIES WERE LAUDED BY ALMOST ALL DELEGATIONS.

5. THE GENERAL ATMOSPHERE PRIOR TO AND DURING THE CONSIDERATION OF HUMAN RIGHTS WAS A QUIET BUT DETERMINED MOVE TO THE SIDE OF THE ANGELS ON THE PART OF ALL BUT THE MOST RECALCITRANT OF THE SOUTHERN CONE. PART OF THIS TENDENCY MAY BE EXPLAINED BY SINCERE CONVICTION BUT IT MAY MORE REALISTICALLY REPRESENT ADOPTION OF PROTECTIVE COLORATION BY REGIMES FEARFUL OF BEING SPOTLIGHTED FOR HUMAN RIGHTS VIOLATIONS.

6. ECONOMIC TOPICS TOOK A BACK SEAT TO HUMAN RIGHTS CONSIDERATIONS DURING THE GENERAL ASSEMBLY, ESPECIALLY

AFTER THE FOREIGN MINISTERS HAD FINISHED THEIR OPENING STATEMENTS. WITH THE EXCEPTION OF GUATEMALA, WHICH BROUGHT ITS AMBASSADOR TO THE INTERNATIONAL SUGAR ORGANIZATION FROM LONDON, NONE OF THE OTHER DELEGATIONS INCLUDED ECONOMIC EXPERTS NOT REGULARLY ASSIGNED TO WASHINGTON. THE FOREIGN MINISTERS THEMSELVES MADE THE POINT SEVERAL TIMES THAT HUMAN RIGHTS MUST INCLUDE BASIC ECONOMIC RIGHTS. SEVERAL OF THEM ALSO STRESSED THAT THE OAS SHOULD PLAY A MORE ACTIVE ROLE IN
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ECONOMIC AFFAIRS, WITHOUT EXPLAINING WHAT THAT ROLE WOULD BE. APPARENTLY WHAT THEY HAVE IN MIND IS A MORE EFFECTIVE ROLE ON TRADE QUESTIONS, PARTICULARLY AS A DEFENSE AGAINST THE PROTECTIONIST TENDENCIES THEY ARE SO CONCERNED ABOUT.

7. ON SPECIFIC ISSUES, THE U.S. VOTED AGAINST THREE RESOLUTIONS, ON SUGAR, ON PROTECTIONISM, AND ON TRANSNATIONAL ENTERPRISES. THE PROTECTIONISM RESOLUTION IS LESS STRIDENT THAN IT MIGHT HAVE BEEN, BUT NONETHELESS IS AIMED AT MEASURES ALLEGEDLY ALREADY TAKEN BY THE U. S. THERE WAS NO SERIOUS EFFORT TO ACHIEVE CONSENSUS WITH US ON THIS DRAFT, AND THE IMPRESSION WAS THAT THE OTHER DELEGATES WERE NOT EXPECTING TO FIND COMMON GROUND WITH THE U. S. ON THIS EMOTIONAL SUBJECT. IN CONTRAST, WE VERY NEARLY REACHED CONSENSUS ON SUGAR, EMPHASIZING THE PRIME IMPORTANCE OF THE INTERNATIONAL SUGAR AGREEMENT, WITH THE ACTIVE COOPERATION OF GUATEMALA. IN THE END, THE DOMINICAN REPUBLIC INSISTED ON SINGLING OUT U. S. IMPORT DUTIES AND FEES FOR CRITICISM, AND WAS ABLE TO ACHIEVE LATIN AND CARIBBEAN SOLIDARITY TO BACK UP THEIR INSISTENCE. INTERESTINGLY, BOLIVIA NEVER RAISED THE SUBJECT OF TIN THROUGHOUT THE ASSEMBLY.

8. THE FRAGILE CONSENSUS OF EARLY JUNE ON TRANSNATIONAL ENTERPRISES AND CODES OF CONDUCT WAS BROKEN BY BRAZIL, ON THE GROUNDS THAT IT COULD NOT ASSIGN EQUAL IMPORTANCE TO THE LATIN AMERICAN AND U. S. POINTS OF VIEW, A POSITION SILENTLY SHARED BY A NUMBER OF OTHER DELEGATIONS. WE SHOULD NOT, HOWEVER, ASCRIBE TOO MUCH IMPORTANCE TO THIS RESOLUTION, SINCE IT CONTAINS NOTHING NEW AND SINCE MANY DELEGATIONS, INCLUDING
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THE U. S., WOULD HAVE PREFERRED NO RESOLUTION ON THE SUBJECT IN THE OAS.

9. WHILE THE U. S. VOTED AGAINST THESE THREE RESOLUTIONS,

AND ABSTAINED ON ANOTHER REQUESTING GSP ELIGIBILITY FOR ECUADOR AND VENEZUELA, THERE WAS NO ATMOSPHERE OF CONFRONTATION ON ECONOMIC MATTERS. THE ECONOMIC COMMITTEE PROCEEDED IN A RELAXED MANNER, AND SUCCEEDED IN PASSING A NUMBER OF RESOLUTIONS WITH U. S. SUPPORT, SUCH AS ON ANALYZING THE WORKINGS OF GSP, REFORMING THE OAS EXPORT DEVELOPMENT ASSISTANCE PROGRAM, REPEATING INSTRUCTIONS ON PREPARATIONS FOR THE EVENTUAL SPECIAL GENERAL ASSEMBLY ON COOPERATION FOR DEVELOPMENT, AND EVEN ON STUDYING THE ECONOMIC IMPACT OF PANAMA CANAL TOLL INCREASES. ALL DELEGATES WERE KEENLY AWARE THAT THE SPOTLIGHT WAS ELSEWHERE, AND SEEMED RESIGNED TO RATHER THAN FRUSTRATED BY THIS FACT.

10. RESTRUCTURING - WORKING IN PARALLEL WITH MEXICO, WE TRIED TO BREAK OUT OF THE CURRENT STALEMATE BY SUGGESTING A SPECIAL, HIGH-LEVEL GROUP, WITH A LIMITED NUMBER OF PARTICIPANTS, TO GET AT THE RESTRUCTURING QUESTION FROM ANOTHER DIRECTION -- THAT OF THE INTERMEDIATE-RANGE GOALS OF THE INTER-AMERICAN SYSTEM AND THE FUNCTIONS NECESSARY TO ATTAIN THOSE GOALS. THIS EFFORT WAS SIDE TRACKED LARGELY BY THE PANAMANIAN AND ECUADOREAN REPRESENTATIVES, BACKED BY OTHER PARTICIPANTS IN CEESI, WHO HAMMERED ON THE NEED FOR LATIN SOLIDARITY, THE RIGHTS OF THE SMALL STATES TO PARTICIPATE IN NEGOTIATIONS AND PAST DUPLICITY BY THE U. S. THE MATTER GOES BACK TO THE PERMANENT COUNCIL WITH A RECOMMENDATION THAT, IF NECESSARY, THE COUNCIL APPOINT A SPECIAL COMMITTEE OF REPRESENTATIVES OF ALL MEMBERS TO TRY TO IRON OUT DIFFERENCES IN THE WORK OF CEESI. ESSENTIALLY, WE'RE BACK TO SQUARE ONE ON THIS ISSUE.
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11. QUOTA REDUCTION. THE U. S. OBTAINED AGREEMENT TO A RESOLUTION WHICH DIRECTS THE PERMANENT COUNCIL TO DEVELOP A FORMULA FOR QUOTA REDUCTION TO THE VI SPECIAL GENERAL ASSEMBLY IN DECEMBER, WHICH WILL CONSIDER THE OAS 1979 BUDGET, HEADING OFF PROPOSALS THAT CONSIDERATION OF THIS ISSUE BE DEFERRED UNTIL

THE NEXT REGULAR GENERAL ASSEMBLY. THUS, DEADLINE FOR THIS ISSUE HAS BEEN MOVED UP A YEAR. SOME DELEGATIONS, NOTABLY ARGENTINA AND URUGUAY, MADE SOMEWHAT SURPRISING BUT NEVERTHELESS WELCOME STATEMENTS OF SUPPORT FOR IDEA THAT NO SINGLE MEMBER STATE SHOULD PAY FOR MORE THAN 50 OF OAS BUDGET. THESE POSITIONS WERE TAKEN IN CONTEXT OF DESIRE TO AVERT DOMINANCE OF OAS BY ONE STATE, NAMELY, U. S.

12. OVERALL ASSESSMENT. FROM U. S. POINT OF VIEW, VIII GA CAME TO RELATIVELY SATISFACTORY CONCLUSION.

WE SEE CONSIDERABLE PROGRESS MADE ON MULTILATERALIZATION OF HUMAN RIGHTS, AND ON QUOTA REDUCTION; THERE WAS ESSENTIALLY A STANDOFF ON ECONOMIC ISSUES; AND, ON RESTRUCTURING, U.S.-MEXICAN INITIATIVE WAS BLOCKED BUT MAY WELL BE REVIVED IN PERMANENT COUNCIL. THUS, MODEST FORWARD PROGRESS WAS ACHIEVED ON SOME POINTS, AND NO IMPORTANT DAMAGE OCCURRED ON THE OTHERS.

13. HOWEVER, WE ARE DISAPPOINTED IN LACK OF PROGRESS MADE AT THIS GA TOWARD DEALING WITHIN OAS RESTRUCTURING. TWO BASIC FACTORS CONTINUE TO PLAGUE THE OAS AND LIMIT ITS EFFECTIVENESS, ESPECIALLY IN THE EYES OF THE LATIN/CARIBBEAN MEMBER STATES: (A) U. S. AND LATIN/CARIBBEAN INTERESTS IN AND PERCEPTIONS OF CONFIDENTIAL

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THE OAS REMAIN FUNDAMENTALLY DIFFERENT. U. S. INTERESTS ARE PRIMARILY POLITICAL -PEACE-KEEPING AND HUMAN RIGHTS -- WHILE THE LATIN/CARIBBEAN AGENDA EMPHASIZES ECONOMIC AND DEVELOPMENT ISSUES. (B) THE STRUCTURE OF THE OAS, DOMINATED AS IT IS BY A PERMANENT COUNCIL WHICH DEIFIES THE PRINCIPLE OF THE SOVEREIGN EQUALITY OF STATES, GUARANTEES A MAXIMUM OF RHETORIC AND A MINIMUM OF EFFECTIVE ACTION. THESE ARE THE ISSUES WHICH HAVE STYMIED THE EFFORTS TO REFORM THE OAS IN THE POST-ALLIANCE FOR PROGRESS PERIOD. CHRISTOPHER

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